

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Jamie Andreas Londono,	)	C/A No.: 1:09-2899-HMH-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	REPORT AND RECOMMENDATION
John Owen,	)	
	)	
Defendant.	)	
	)	
	)	

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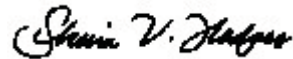
Plaintiff filed this action petitioning the court for a writ of habeas corpus. Defendant filed a motion to dismiss on March 25, 2010. (Entry #14.) As Plaintiff is proceeding *pro se*, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on March 29, 2010, advising him of the importance of a motion to dismiss and of the need for him to file an adequate response. (Entry #15.) Plaintiff was specifically advised that if he failed to respond adequately, Defendant's motion may be granted, thereby ending this case. Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff failed to respond to the motion.

On June 3, 2010, the court ordered Plaintiff to advise whether he wished to continue with the case by June 19, 2010. (Entry #22.) Plaintiff did not receive the order, as it was returned to the court stamped "not deliverable as addressed, unable to forward" and indicated Plaintiff was no longer an inmate at FCI Williamsburg. Plaintiff has not provided the court with a new address at which he receives mail, despite an order

mandating the same entered at the beginning of this action (Entry #5). The record indicates no attempt by Plaintiff to contact the court since service of the complaint.

As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, the undersigned recommends this action be dismissed with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO RECOMMENDED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

June 28, 2010  
Florence, South Carolina

Shiva V. Hodges  
United States Magistrate Judge